

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No.
Court File No.

19A06084

State of Minnesota,
Plaintiff,

COMPLAINT
Summons

vs.

ROBERT SYLVESTER KELLY DOB: 01/08/1967

410 N WABASHA AV
#48-4F
CHICAGO, IL 60611

Defendant.

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

COUNT I

Charge: Prostitution-Engage 16 to 17 Yr Old

Minnesota Statute: 609.324.1(c)(1), with reference to: 609.324.1(c)

Maximum Sentence: 5 YEARS AND/OR \$10,000

Offense Level: Felony

Offense Date (on or about): 07/11/2001

Control #(ICR#): 19014033

Charge Description: That on or about 7/11/2001, in Minneapolis, Hennepin County, Minnesota, ROBERT SYLVESTER KELLY intentionally engaged in prostitution with an individual under the age of 18 years, but at least 16 years of age.

COUNT II

Charge: Prostitution-Hire 16 to 17 Yr Old

Minnesota Statute: 609.324.1(c)(2), with reference to: 609.324.1(c)

Maximum Sentence: 5 YEARS AND/OR \$10,000

Offense Level: Felony

Offense Date (on or about): 07/11/2001

Control #(ICR#): 19014033

Charge Description: That on or about 7/11/2001, in Minneapolis, Hennepin County, Minnesota, ROBERT SYLVESTER KELLY intentionally hired or offered or agreed to hire Victim, an individual under the age of 18 years, but at least 16 years of age, to engage in sexual penetration or sexual contact.

STATEMENT OF PROBABLE CAUSE

Complainant, a licensed peace officer with the Minneapolis Police Department, has investigated the facts and circumstances of the offense and believes the following establishes probable cause:

On January 11, 2019, a known adult female, hereinafter referred to as Victim, contacted a law enforcement hotline to report a sexual encounter with ROBERT SYLVESTER KELLY, the defendant herein. Victim reported that the incident occurred when she was underage and that it occurred in Minneapolis. The tip was given to law enforcement who started investigating.

Complainant interviewed Victim who reported engaging in a sexual act with the defendant for money at a time when the defendant was in Minneapolis for a concert. Victim reported that she first encountered the defendant at City Center where she saw fans getting autographs. Victim stated that she obtained an autograph from the defendant which also contained a phone number. Victim indicated that she called the number and was directed to a downtown Minneapolis hotel where she met the defendant.

Victim reported that upon entering the hotel, a man who appeared to be one of the defendant's staff brought her to the hotel suite. Victim stated that she waited for a short period of time before the defendant entered the room. The defendant and Victim engaged in small talk before the defendant gave her \$200 to dance. According to Victim, after reaching an agreement on an amount, he helped her remove her clothing. Victim stated that the defendant took off his clothes as well.

Victim reported that the defendant laid on the bed and she climbed on top of him, body to body. Victim stated that she was positioned looking down towards the defendant's feet as she danced. According to Victim, the defendant was rubbing her body as well as fondling his erect penis. Victim stated that the defendant touched all over her body including her vagina and her breasts.

Victim described how after the dance was complete, the defendant stated that he would see her at the concert and then left. Victim stated that she did attend the defendant's concert as a guest who did not have to pay or present ID and that she was close to the stage during the concert. Victim stated she was not yet 18 so she would have been unable to get into an 18+ concert with a standard ticket.

Victim reported that she saw her brother at the concert, and he was not only surprised that she was present at the concert but also how close to the stage was located. Victim stated that she told her brother about the incident with the defendant when he asked about her presence at the concert.

Complainant interviewed Victim's brother who confirmed that he saw his sister at the concert in question and that his sister did not have the money for such a ticket. Victim's brother also confirmed that his sister told him she went to the defendant's room and danced for him for money. Victim's brother stated he did not go into detail with his sister about what happened in the hotel room because Victim looked very uncomfortable discussing the matter.

Investigation into the concert, based on information provided by Victim and her brother, showed the concert in question was held July 11, 2001 in Minneapolis. Victim was 17 years old at that time.

The defendant is not in currently custody on this matter.

SIGNATURES AND APPROVALS

Complainant requests that Defendant, subject to bail or conditions of release, be:
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

Complainant

William Palmer
Sergeant
350 S 5th St
Minneapolis, MN 55415-1389
Badge: 5429

Electronically Signed:
08/05/2019 11:00 AM
Hennepin County, Minnesota

Being authorized to prosecute the offenses charged, I approve this complaint.

Prosecuting Attorney

Dan Allard
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
08/05/2019 10:50 AM

FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

☒ SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear on _____, _____ at _____ AM/PM before the above-named court at the address listed on the attached court summons to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

☐ WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

☐ *Execute in MN Only*

☐ *Execute Nationwide*

☐ *Execute in Border States*

☐ ORDER OF DETENTION

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$0.00

Conditions of Release:

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: August 5, 2019.

Judicial Officer

Kathryn Quaintance
District Court Judge

Electronically Signed: 08/05/2019 11:27 AM

Sworn testimony has been given before the Judicial Officer by the following witnesses:

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

ROBERT SYLVESTER KELLY

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE
*I hereby Certify and Return that I have served a copy of this
Summons upon the Defendant herein named.*

Signature of Authorized Service Agent:

DEFENDANT FACT SHEET

Name: ROBERT SYLVESTER KELLY
DOB: 01/08/1967
Address: 410 N WABASHA AV
#48-4F
CHICAGO, IL 60611

Alias Names/DOB:
SID:
Height:
Weight:
Eye Color:
Hair Color:
Gender: MALE
Race: Black
Fingerprints Required per Statute: Yes
Fingerprint match to Criminal History Record: No
Driver's License #:
SILS Person ID #: 862283
SILS Tracking No. 3103011
Alcohol Concentration:

STATUTE AND OFFENSE GRID

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	7/11/2001	609.324.1(c)(1) Prostitution-Engage 16 to 17 Yr Old	Felony	Z1682		MN0271100	19014033
	Penalty	7/11/2001	609.324.1(c) Prostitution-Other Prohibited Acts-16-17 Yr Old	Felony	Z1682		MN0271100	19014033
2	Charge	7/11/2001	609.324.1(c)(2) Prostitution-Hire 16 to 17 Yr Old	Felony	Z1682		MN0271100	19014033
	Penalty	7/11/2001	609.324.1(c) Prostitution-Other Prohibited Acts-16-17 Yr Old	Felony	Z1682		MN0271100	19014033